

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 PATRICIA BROYLES,

No. C-07-5305 MMC

12 Plaintiff,

**ORDER DENYING PLAINTIFF'S  
REQUEST FOR STATUS CONFERENCE**

13 v.

14 A.U.L. CORPORATION LONG-TERM  
DISABILITY INSURANCE PLAN,

15 Defendant,

16 STANDARD INSURANCE COMPANY,

17 Real Party in Interest.

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19 The Court is in receipt of a letter, filed January 21, 2009 by counsel for plaintiff  
20 Patricia Broyles ("Broyles"), by which said counsel requests a Status Conference to  
21 "discuss" how the Ninth Circuit's recent decision in Nolan v. Heald, No. 07-15679, 2009 WL  
22 69238 (9th Cir. Jan. 13, 2009) "affects the motions under submission" in the instant action.<sup>1</sup>  
23 On January 22, 2009, counsel for defendant A.U.L. Corporation Long-Term Disability  
24 Insurance Plan and real party in interest Standard Insurance Company (collectively,  
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27 <sup>1</sup>Contrary to the assertion of Broyles' counsel, neither party has filed a motion for  
summary judgment. Rather, on October 10, 2008, Broyles filed a "Brief in Support of  
28 Judgment," and, on October 24, 2008, Standard filed a motion to strike two declarations  
filed by Broyles in support of such brief. On November 10, 2008, the Court took both  
matters under submission. No other motions are pending in the instant action at this time.

1 "Standard") filed a letter in opposition to the request of Broyles' counsel. Having read and  
2 considered the parties' filings, the Court finds a Status Conference is not necessary at this  
3 time.

4 Accordingly, the request for a Status Conference is hereby DENIED.

5 **IT IS SO ORDERED.**

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7 Dated: January 26, 2009  
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MAXINE M. CHESNEY  
United States District Judge

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